United Nations A/HRC/31/G/7

General Assembly

Distr.: General
24 March 2016

Original: English

**Human Rights Council**
**Thirty-first session**
Agenda item 6
**Universal periodic review**

# Letter dated 17 March 2016 from the Permanent Representative of Azerbaijan to the United Nations Office at Geneva addressed to the President of the Human Rights Council

I have the honour to transmit herewith the mid-term report of the Government of the Republic of Azerbaijan on the implementation of the recommendations contained in the report of the Working Group on the Universal Periodic Review (A/HRC/24/13) (see annex).

Ensuring human rights and freedoms is a priority for the Government of the Republic of Azerbaijan. As a party to the core international legal instruments in the field of human rights, Azerbaijan actively cooperates with all mechanisms of the Human Rights Council. In this regard, it attaches great importance to the universal periodic review mechanism as one of the main tools of the Council.

The above-mentioned mid-term report is presented by the Government of the Republic of Azerbaijan on a voluntary basis as a sign of its commitment to the promotion and protection of all human rights in the country. The Republic of Azerbaijan is of the view that the update of the Human Rights Council on the national measures carried out in the field of human rights will contribute to its more effective participation in the third cycle of the universal periodic review.

I would be highly appreciative if you could kindly circulate the present letter and the annex thereto* as a document of the thirty-first session of the Human Rights Council under agenda item 6.

(*Signed*) Vaqif Sadiqov

Ambassador, Permanent Representative

* Reproduced as received, in the language of submission only.

**Annex to the letter dated 17 March 2016 from the Permanent Representative of Azerbaijan to the United Nations Office at Geneva addressed to the President of the Human Rights Council**

## Mid-term report of the Government of the Republic of Azerbaijan on implementation of recommendations indicated in the report of the Working Group of the Human Rights Council on the Universal Periodic Review (A/HRC/24/13)

The human rights and freedoms are guaranteed by the Constitution of the Republic of Azerbaijan and other legislative acts.

In addition, measures aimed at increasing the efficiency of protection of human rights and freedoms, development of legal culture, improvement of legal basis and legal defence system have been undertaken within the framework of the "National Action Program on Increasing Efficiency of Protection of Human Rights and Freedoms in the Republic of Azerbaijan", which was approved by Presidential decree dated 27 December 2011.

The Government of the Republic of Azerbaijan pays special attention to the cooperation with international organizations in the field of protection and promotion of human rights. In this respect, it is worth to mention the visits of Ms. R. Manjoo, the United Nations (UN) Human Rights Council (HRC) Special Rapporteur on Violence against Women, its Causes and Consequences held on 25 November–6 December 2013, Mr. C. Beyani, UN HRC Special Rapporteur on the Human Rights of Internally Displaced Persons, held on 18-24 May 2014 and UN Working Group on Human Rights and Business held on 18-27 August 2014. Moreover, delegation of the UN Subcommittee against Torture paid a visit to Azerbaijan on 16-24 April of 2015.

The visit of UN HRC Working Group on Arbitrary Detention is expected to be held on 16-25 May 2016 upon the invitation of the Government of the Republic of Azerbaijan. The visit of Mr. M. Forst, the UN HRC Special Rapporteur on situation of Human Rights Defenders is planned for this year to Azerbaijan.

The Government of the Republic of Azerbaijan submitted its reports to relevant UN treaty bodies during the previous years. The 5th periodic report of the Republic of Azerbaijan on the implementation of its obligations under the "Convention on Elimination of All Forms of Discrimination Against Women" was considered during the 60th session of the UN Committee on Elimination of Discrimination Against Woman in Geneva on 18 February 2015.

The Fourth periodic report of the Republic of Azerbaijan submitted under the "Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment" was considered within the framework of the 56th session of the UN Committee against Torture on 11-12 November 2015.

Trainings, scientific-analytical and awareness raising measures in the field of human rights continue to be held in accordance with the "National Action Program on Increasing Efficiency in the Protection of Human Rights and Freedoms".

In accordance with a two years project named "European Convention on Human Rights and case law of the European Court on Human Rights", the seminars and trainings are held for judges, prosecutors, advocates and other lawyers in the capital and different

regions within the framework of the Action Plan of the Council of Europe for Azerbaijan for the years of 2014–2016.

The Human Rights Commissioner (Ombudsman), acting as an independent monitoring mechanism, is supervising the implementation of recommendations given under the Universal Periodic Review.

Participation of civil society institutions, local NGOs and communities were ensured in all public hearings held in all cities and districts of the country to monitor the promotion and implementation of the National Action Plan as well as to raise an awareness of the population on the right to vote.

As a result of measures taken to reduce poverty, the extreme poverty is eliminated and the GDP, average monthly salary and people's income are increased. More than 68 000 enterprises started to operate during the period of 2004-2015 and more than 1 400 000 new work places have been established. By the time of 1 January 2015, the level of unemployment has decreased to 4.9% and the level of poverty to 5%.

Restructuring base part of the pension system is considered in the "Reform Concept of the Pension system of the Republic of Azerbaijan for the years of 2014-2020".

On 23 February 2015, the President of the Republic of Azerbaijan issued a decree on "Improvement of the Targeted State Social Aid System" for creating efficient system for citizens and providing electronic service. Moreover, the draft law on "Mandatory insurance from unemployment" was prepared. By the time of 1 October 2015, targeted state social assistance have been received by 499 700 members of the 115 200 families and the social aid is determined for 344 000 persons in the country.

The certain measures, among others, aimed at the improvement of social capital, efficient social security and modern education system, as well as providing gender equality and development of the family institute are going to be implemented within the Development Concept named "Azerbaijan 2020: Look into the future".

The State Program on social and economic development of regions covering the period of 2014-2018 is successfully implemented.

"National Action Plan on combating Human Trafficking covering the period of 2014-2018" provides measures for protection and social rehabilitation of victims of human trafficking, as well as raising awareness mechanisms.

Amendments were made by the decision of the Cabinet of Ministers of the Republic of Azerbaijan dated 14 October 2015 to the ''Program on elimination of social problems that creates conditions for human trafficking".

As a result of operational and preventive measures taken during the period of 2014-2015, 52 persons were charged for human trafficking and 115 persons were identified as a victim of human trafficking. The victims were placed in shelters, provided with legal, medical, psychological support and reintegrated to the society.

The Program on "Social rehabilitation and reintegration of children, who are victims of human trafficking" was approved by the Cabinet of Ministers of the Republic of Azerbaijan on 6 February 2014. The State Program on "Better health for mothers and children covering the period of 2014-2020" was approved by a decree of the President of the Republic of Azerbaijan on 13 June 2014. At the same time, preparation of the "Azerbaijani family Strategy'', "Child Code'', "National Child Strategy" are under consideration.

Applications on cases of violence against women, as well as domestic violence are examined with special discretion. The operational and investigative measures are being

taken with respect to all such cases. Local authorities have set up coordination councils for providing assistance in the fight against domestic violence. According to statistics, 4 244 offences against women has been registered within 9 months of 2015. 1 780 of them were classified as acts of violence and 646 out of them as violence on domestic basis. 2187 persons were brought to justice.

On 17 October 2014, the amendments were made to the Family Code to take care of the population's health. According to that amendment the persons wishing to create a family shall pass medical examination in order to register the marriage.

According to statistics of 2015, the role of women in decision making process is increased. Today, women members of parliament constitute 16, 8%, women civil servants - 28%, women elected as mayors - 29,7%, women elected to municipalities - 35%, women entrepreneurs - 19,4%. In the justice system, 1153 women are in of low and medium position while 84 ones are in a high as well as 65 women work as a judge. In the system of Internal Affairs, 287 women are holding middle and senior chief positions and 835 women are low ranking chiefs. 78 women are holding deputy positions in local executive bodies.

The Government undertakes consistent measures to promote development of civil society in the country. Creation of a "Personal electronic window" ensures the exchange of information oetween non-governmental organizations and governmental institutions.

The preparation of "National Action Program in the field of development of civil society" within the framework of the "Azerbaijan 2020: Look into the future" Development Concept is under consideration. This program will entail preparation and adoption of new legislative acts stimulating improvement of civil society, helping both the government and private sector to promote development of civil society, rendering financial assistance to the projects and programs of non-governmental organizations, establishing, educational centres and many other activities.

The Government Support Council to NGOs under the President of the Republic of Azerbaijan granted 5 527 492 AZN to 506 programs in 2013, 3 934 168 AZN to 403 programs in 2014, 5 255 343 AZN to 520 programs in 2015. Moreover, the Youth Foundation under the President of the Republic of Azerbaijan granted 3 596 885 AZN to 501 programs in 2013, 3 414 600 AZN to 827 programs in 2014, 4 651 900 AZN to 876 programs in 2015.

At the same time, according to the law of the Republic of Azerbaijan on "Public Participation" that came into force on 1 June 2014, NGO Public Councils have been created. These Councils allow NGOs to carry out comprehensive control over society and to participate in decision making process.

The Government of the Republic of Azerbaijan continues to take effective and persuasive measures in fighting against corruption. Today, more than 200 public and private services, including those of 12 governmental institutions are rendered by Azerbaijani Service and Assessment Network (ASAN) service centres. At the same time the establishment of ASAN service centres in the regions started since 2012. More than 7 400 000 applications have been submitted to ASAN service centres during the period of 2013-2015. 98% of citizens have been satisfied with the services provided by ASAN centres. ASAN Service was awarded with the UN Public Service Award during the annual session of the UN Committee of Experts on Public Administration in 2015.

In 2015, preliminary investigation of 207 criminal proceedings against 301 persons were completed by the General Department on Combating Corruption under the Office of Prosecutor General and 200 criminal cases about 295 persons have been transferred to the court for adjudication. 36 101 440 AZN or 25, 1 % from total amount of 143 883 201 AZN

were recouped during preliminary investigation for the damage caused. 70 or 26, 1 % of 268 suspects in corruption were imprisoned.

Several judges were faced with disciplinary measures for corruption cases; 6-dismissed, 4-demoted, 11-received reprimands, 2-received a warning by the Judicial Council of the Republic of Azerbaijan.

Fight against corruption was one of the priorities of the Republic of Azerbaijan, during its chairmanship in the Committee of Ministers of Council of Europe (May – November of 2014). Under the Chairmanship's priority, the Conference on international standards and national experiences in the fight against corruption was held together by the Government of Azerbaijan, GRECO and International Anti-Corruption Academy in Baku in July of 2014.

A draft resolution on "Combating corruption by rendering efficient public service through the implementation of technological innovations and positive experience" was submitted by the Republic of Azerbaijan and unanimously approved by the 6th Conference of States Parties to the UN Convention against Corruption held in St. Petersburg, Russia on 2-6 November 2015.

A representative of Azerbaijan was elected to the Board of Governors of the International Anti-Corruption Academy at its 4th Assembly held in Vienna on 9-11 December 2015.

Azerbaijan represents a model of religious and intercultural tolerance. Special attention is paid to historical and religious monuments in the country. Mosques, churches and synagogues have been repaired and reconstructed. The total number of registered religious organizations is 632 that include 12 Christian, 6 Jewish, 2 Baha'i and 1 Krishna communities.

Regional conferences on "Government and religion: protection of our national, moral and traditional values", "National traditions and modern times" and "Traditional Islamic values and Modernity", as well as seminars and trainings were held in 2014-2015 for religious enlightenment, raising of level of tolerance in religious communities, preventing of religious intolerance, especially religious radicalism in the country.

A Service of the State Counsellor on Multiculturalism, Interethnic and Religious Affairs of the Republic of Azerbaijan was set up by a decree of the President of the Republic of Azerbaijan on 28 February 2014. In order to protect, develop and promote multicultural traditions, the President of the Republic of Azerbaijan announced 2016 as a year of multiculturalism in Azerbaijan.

Government of the Republic of Azerbaijan has hosted a number of international events, carried out various international projects during the period of 2013-2015 and contributed to intensification of inter civilizational and intercultural dialogue. The events hosted by the Republic of Azerbaijan include, inter alia, the conference on "Intercultural dialogue: relations between culture and religion" held within the framework of Azerbaijan's chairmanship in the Committee of Ministers of the Council of Europe on 1-2 September 2014, the international conference on "Islamic education and modern age" held on 16 April 2015, the "3rd World Forum on Intercultural Dialogue" held on 15 May 2015, jointly organized with UNESCO, the Government of the Republic of Azerbaijan and Haydar Aliyev Foundation in Baku. The 7th Global Forum of UN Alliance of Civilizations (INAOC) will be held in Baku on 25-27 April 2016.

"National Action Program on Protection of Rights of Persons with Disabilities for the period of 2016-2021" was adopted and a draft law on "Rights of Persons with disabilities" was elaborated. The persons with disabilities were provided with 172

apartments in 2014, 199 apartments and 82 individual houses in 2015. 1533 such persons were provided with the vehicles in 2014 and 400 persons - in 2015.

The measures have been taken to improve and facilitate life conditions of internally displaced persons (IDPs) and refugees. The activities of the Government of the Republic of Azerbaijan aimed at providing gradually the social security, employment, education, accommodation, and medical support for this category of persons is conducted in compliance with relevant state programs approved by decrees of the President of the Republic of Azerbaijan.

Following the implementation of State Programs on improvement of life conditions of refugees and IDPs, 93 modern settlements with all necessary social and technical infrastructure in the area covering 2 900 000 square meters have already been built for refugees and IDPs in more than 30 cities and regions of the Republic of Azerbaijan, by using the allocations from the State Oil Fund and other sources.

165 000 out of 380 000 IDPs with working capacity have been provided with permanent jobs in state-owned institutions and other places, 200 000 IDPs have been provided with temporary jobs, 4 400 IDPs have been given unemployed status, 3000 IDPs have been sent to special trainings, 2000 IDPs have been employed in the sphere of paid social work, 16 000 families became recipients of targeted social assistance in recent years.

A loan agreement concluded between the World Bank and the Government of the Republic of Azerbaijan ensured implementation of 586 micro projects at the value of 35 000 000 AZN that enabled 348 000 persons to enjoy benefits. 11 000 IDPs, including their family members were issued 7 700 000 AZN loan. 2 000 IDPs have been given 44 000 000 AZN concessional loans through the National Fund for Entrepreneurship Support to invest in private business projects. The level of poverty among IDPs has decreased from 75% to 12% in recent 12 years.

The Migration Code of the Republic of Azerbaijan was adopted on 2 July 2013 and came into force on 1 August 2013. This Code regulates migration processes and determines the legal status of foreigners and stateless persons. At the same time, the State Migration Service of the Republic of Azerbaijan prepared a strategic plan for the period of 2016-2018.

Since the Nagorno-Karabakh region of the Republic of Azerbaijan and its seven districts surrounding that region remain under the Armenian occupation, the Republic of Azerbaijan is unable to guarantee the implementation of its human rights obligations and recommendations of UN HRC Working Group on the Universal Periodic Review in the territories of the Republic of Azerbaijan occupied by Armenia, until the liberation of those territories from the occupation and complete elimination of the consequences of that occupation.

The Republic of Azerbaijan supports the peaceful settlement of Armenia-Azerbaijan Nagorno-Karabakh conflict on the basis of norms and principles of international law particularly those relating to the respect of territorial integrity, sovereignty and inviolability of internationally recognized borders of the states. The aggression of Armenia against Azerbaijan must be stopped and Armenia must withdraw all its occupying forces from all occupied territories of the Republic of Azerbaijan. Only after this, due condition to ensure human rights and freedoms in the occupied territories of the Republic of Azerbaijan would appear.